ORDER RECEIVED FØR FILING
Date

My 7/95

By

IN RE: PETITION FOR ADMIN. VARIANCE

E/S St. David's Lane, 1570' S of

the c/l of Chestnut Ridge Drive *

(11529 St. David's Lane)

8th Election District

3rd Councilmanic District

Christopher Saudek, et ux

Petitioners

* BEFORE THE

DEPUTY ZONING COMMISSIONER

-- --- ---

OF BALTIMORE COUNTY

Case No. 95-335-A

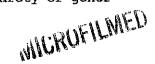
* * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 11529 St. David's Lane, located in the vicinity of the Chestnut Ridge Country Club in Lutherville. The Petition was filed by the owners of the property, Christopher and Susan Saudek. The Petitioners seek relief from Section 1A04.3 B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot line setback of 44 feet in lieu of the required 50 feet and a street centerline setback of 69 feet in lieu of the required 75 feet for a proposed 12' x 16' addition, and to amend the last approved Final Development Plan for The Clearings, Plat Two, Lot 10 thereof, accordingly. The subject property and relief sought are more particularly described on the site plan submitted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or gener-



ORDER RECEIVED FOR FILING
Date

WANTED
By

al welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 27 day of April, 1995 that the Petition for Administrative Variance seeking relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot line setback of 44 feet in lieu of the required 50 feet and a street centerline setback of 69 feet in lieu of the required 75 feet for a proposed 12'x16' addition, and to amend the last approved Final Development Plan for The Clearings, Plat Two, Lot 10 thereof, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

TIMOTHY M./KOTROCO

Deputy Zoning Commissioner

for Baltimore County

TMK:bjs

Baltimore County Government Zoning Commissioner Office of Planning and Zoning



Suite 112 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

April 27, 1995

Mr. & Mrs. Christopher Saudek 11529 St. David's Lane Lutherville, Maryland 21093

RE: PETITION FOR ADMINISTRATIVE VARIANCE

E/S St. David's Lane, 1570' S of the c/l of Chestnut Ridge Drive

(11529 St. David's Lane)

8th Election District - 3rd Councilmanic District

Christopher Saudek, et ux - Petitioners

Case No. 95-335-A

Dear Mr. & Mrs. Saudek:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration Office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO

Deputy Zoning Commissioner

for Baltimore County

TMK:bjs

cc: People's Counsel

File

"www.jethia.



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at

which is presently zoned

This Petition shall be flied with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) /AO4.3.B.3 70 PERMIT A LOT LINE SETBACK OF 44 FT. AND A STREET CENTERLINE SETBACK OF 69 FT. (FOR A PROPOSED ADDITION) IN LIEU OF THE REQUIRED 50 FT. AND 75 FT.
RESPECTIVELY AND TO AMEND THE LAST APPROVED FINAL DEVELOPMENT PLAN
FOR LOT 10 PLAT TWO OF THE CLEIPRINGS.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or

practical difficulty)

Practical Difficulty-

ESTIMATED POSTING DATE:

Strict compliance with the setback requirement would prevent the owner from creating a reasonably sized dining room in the most logical and cost-effective manner. Any lesser relaxation of the requirement than that requested would mean the construction of an addition too small to justify the base cost of construction. The variance requested would result in a setback of 45', rather that the 50' dictated by strict compliance, a reasonably small (10%) encroachment arguably consistent with the spirit of the ordinance.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filling of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

			I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser/Lessee:			Legal Owner(s)·
(Type or Print Name)			(Type or Print Name)
trypo of t internality			Sugar couded
Signature			Signature
Address			(Type or Print Name)
City	State	Zipcode	CHRISTOPHER SAUDER
Attorney for Petitioner.	3,00		11529 St. Davids lone 410-561-3616.
(Type or Print Name)			Address Phone No.
'			City State Zipcode
Signature			Name, Address and phone number of representative to be contacted.
Address	Phone	No.	JOHN CHRISTIE II
City	State	Zipcode	2740 34TH PL NW WASH DC (202) 338-549
A Public Hearing having been that the subject matter of this particulation throughout Baltimo	etition be set for a pub	olic hearing , advertised, (ered by the Loning Commissioner of Battimore County, this day of, 19, as required by the Loning Regulations of Battimore County, in two newspapers of general
			Zoning Commissioner of Baltimore County

Printed with Soybean Ink

MICROFILMEL

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 11529

	- LUTHEY C	UTLLE MY	41093
,	City	Spale	Zip Code
That based upon personal knowledge, the foll- Variance at the above address: (indicate hardship of	owing are the facts up	oon which I/we/base the request fo	er an Administrative
Practical Difficulty-			
Strict compliance with the setback reasonably sized dining room in the compliance would require unnecessaesthetic norms. Any lesser relaxation of the requires small to justify the base cost of contractions.	ne most logical assarily burdenso	and cost-effective manners one compromises of arc	er. Strict hitectural and
setback of 45', rather that the 50'c encroachment arguably consistent	dictated by stric	t compliance, a reasonal	bly small (10%)
No objections to the proposal are	expected from 1	neighbors.	
That Affiant(s) acknowledge(s) that if a prote may be required to provide additional information of the second of	tion. ORE CO	(type or print name)	and advertising fee and
I HEREBY CERTIFY, this	f Lebruar personally appeared		Notary Public of the Sta
the Affiants(s) herein, personally known or sat that the matters and facts hereinabove set fortl	isfactorily identified t	to me as such Affiantt(s), and mad	le oath in due form of la edge and belief.
AS WITNESS my hand and Notarial Seal.	NOT	Imy D	Joney
	Му Со	ommission Expires:	U
•	·	NOTARY PUBLIC STATE My Commission Expir	ME OF MARY AND

ZONING DESCRIPTION FOR

95-335-A

11529 ST. DAVID'S LANE, LUTHERVILLE, MD

1,570 Beginning at a point on the east side of St. David's Lane, at the distance

south of the centerline of the nearest improved intersecting street, Falls with

(EXTENDE WEST OF TALLS VID.)

Being Lot #10 in the subdivision of The Clearings as recorded in the Baltimore County Plat Book #50 Folio #143 containing 49,372 (+/-) SQ FT.

> Also known as 11529 St. David's Lane, Lutherville MD 21093 and located in the 8th election district, 3rd Councilmanic District.

> > Icc

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

95-335-1

Tower, Maryland

District 8th	Date of Posting 4/2/95 - Squdet Dovid's Fony E/S
Posted for: // Orlanco	
Petitioner: 545an & Chris topko.	- Squdet
Location of property: 11579 51. 1	Dovid's fone Els
~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	
Location of Signa: Techniq rood Noy	on proporty being some
Remarks: No Foly	
Posted by Miffealer	Date of return: 1/14/95
Ordinatora.	•
Number of Signs:	



Ballynure Courty Zoning Administration & Development Management 111 Vest Chesapeake Avenue Tow son, Maryland 21204

**"@@@!**[

Account: R-001-6150

Number 333 BY JLL

50,00 050 50.00 / AMEND FDP 030 35.00 S16N

080

PAID BY JOHN CHRISTIE.

11529 ST DAVIDS LA

OWNER SAUDECK

03A03#0454MICHRC

\$135.00 Please Make Checks Payable To: Baltimore County = 56AMON-30-96

Baltimore County Government Office of Zoning Administration and Development Management



111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

#### ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

#### PAYMENT WILL BE MADE AS FOLLOWS:

- Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper. NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

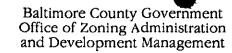
ARNOLD JABLON, DIRECTOR

For newspaper advertising:
Item No.: 333
Petitioner: JOHN CHRISTEE
Location: 11529 ST DALED'S LAWE, LUTHER VILLE, MD 21093
PLEASE FORWARD ADVERTISING BILL TO:
NAME: CHRIS AND SUSAN SAUTEK
ADDRESS: 11529 ST DAVIO'S LANE
LITHERUIUE, MD 121093
PHONE NUMBER: (410 > S61-3616

AJ:ggs

(Revised 04/09/93)







111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

April 6, 1995

#### NOTICE OF CASE NUMBER ASSIGNMENT

Re:

CASE NUMBER: 95-335-A (Item 333)

11529 St. David's Lane

E/S St. David's Lane, 1570' of Chestnut Ridge Drive (extended W of Falls Road)

8th Election District - 3rd Councilmanic

Legal Owner: Susan Saudek and Christopher Saudek

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before April 9, 1995. The closing date (April 24, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

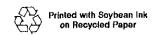
PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon

Director

cc: Susan and Christopher Saudek





#### Baltimore County Governmen Office of Zoning Administration and Development Management



111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

April 12, 1995

Mr. and Mrs. Christopher Saudek 11529 St. David's Lane Lutherville, Maryland 21093

RE: Item No.: 333

Case No.: 95-335-A

Petitioner: C. Saudek, et ux

Dear Mr. and Mrs. Saudek:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on March 30, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

W. Carl Richards, Jr. Zoning Supervisor

WCR/jw Attachment(s)





Administrator

Ms. Joyce Watson Zoning Administration and Development Management County Office Building **Room 109** 111 W. Chesapeake Avenue Towson, Maryland 21204

Re:

H-7-95

Baltimore County
Item No.: 333 (JLL)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours, Bob Small

Ronald Burns, Chief Engineering Access Permits

Division

BS/

#### Baltimore County Government Fire Department



700 East Joppa Road Suite 901 Towson, MD 21286-5500

(410) 887-4500

DATE: 04/11/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF APR. 10, 1995.

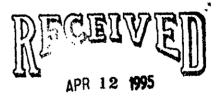
Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time; IN REFERENCE TO THE FOLLOWING LIZEM NUMBERS:331,332 (833,834,335,336, 338 AND 339.



ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

1 to 1

cc: File

Printed on Recycled Page

#### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: April 12, 1995

Zoning Administration and Development Management

FROM:

Pat Keller, Director

Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 331, 332, (333,) 334, 335, and 336.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Division Chief

PK/JL

## BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: April 17, 1995 Zoning Administration and Development Management

Robert W. Bowling, P.E., Chief Developers Engineering Section

RE: Zoning Advisory Committee Meeting for April 17, 1995
Items 329, 331, 332, 333 334, 336, 337, 338
339 and 316 revised

The Developers Engineering Section has reviewed the subject zoning item and we have no comments.

RWB: sw.

## BALTIMORE COUNTY, MARYLAND

## DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

T0:

ZADM Joyce Watson

DATE:

FROM:

**DEPRM** 

Development Coordination

SUBJECT:

Zoning Advisory Committee Agenda: 4/10/95

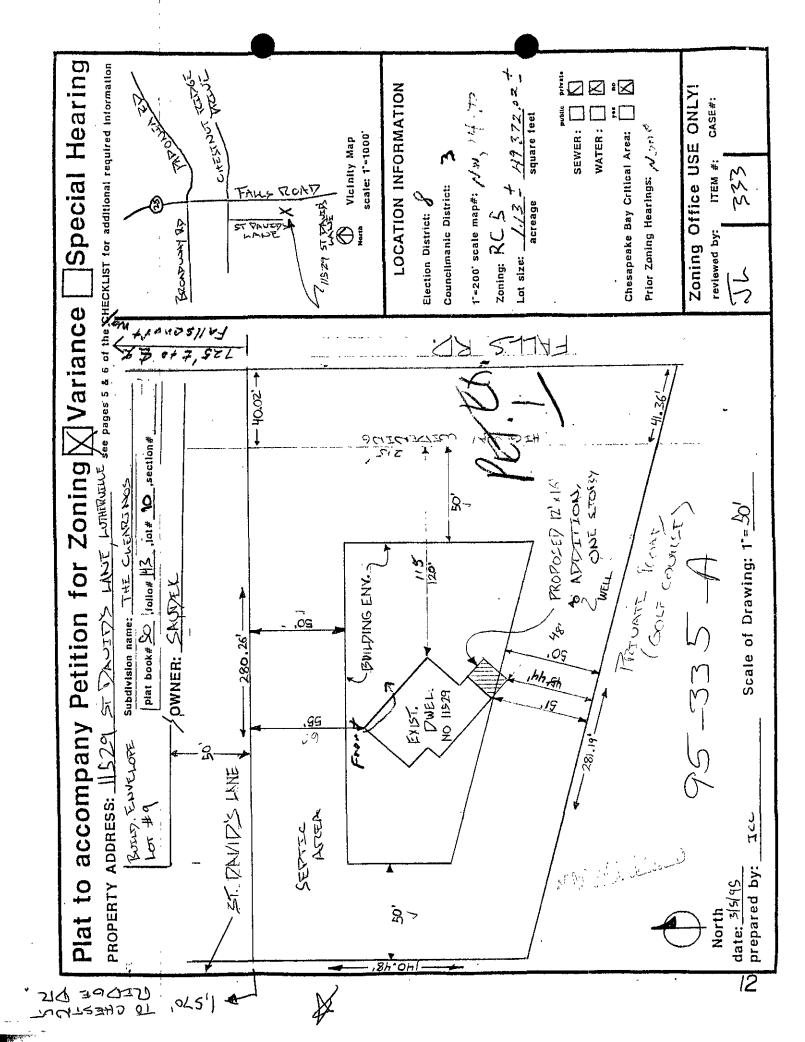
ZAC Comments

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: Rev # 3/6

LS:sp

LETTY2/DEPRM/TXTSBP



# Big Names: Prominent Professionals Added Luster To Towers Financial Corp. While Its Investors Bled

Continued From First Page ing that he had fraudulently removed assets from the firm. (The case was settled out of court.)

And almost from its inception in 1986, Towers sparred with regulators. Towers went public by merging with a shell company, a method that minimizes public scrutiny. Mr. Hoffenberg continued to own most of the stock.

Mr. Hoffenberg, a 49-year-old college dropout, strikes some as capable of great charm, though many see him as brash and intimidating. He often used bodyguards and has been known to use an alias, "Barry Cohen," in his business dealings.

He also appears to have a yen for the grand gesture. He made unsuccessful takeover tries for Pan Am Corp. and Emery Air Freight Corp. in addition to the New York Post. Last year he helped start a newspaper called Her New York, which falled.

Mr. Hoffenberg grew his debt-collection company by selling \$215 million in notes to hundreds of investors. Towers later began buying up accounts receivables from hospitals and nursing homes, which it packaged and sold as bonds — \$200 million worth.

But the assets on which these securities were based were questionable. For example, the SEC's civil suit in New York federal court says Towers bought overdue bank loans that had a face value of \$50 million, paying less than \$500,000 for them — yet recorded them as a \$24 million asset that generated income of \$24 million in 1990. In fact, the SEC says, the bad loans produced no income at all for Towers that year.

Other times, Towers changed the dates of receivables used to support securities, or even created fictitious ones, according a complaint filed in U.S. bankruptcy court in New York by the Towers trustee. An investor suit in New York federal court calls Towers "the largest Ponzi scheme in United States history," referring to schemes that pay off early investors with money taken in from later ones.

Towers reported steeply rising profits year after year, but the SEC's suit says the firm actually was losing tens of millions of dollars each year. Towers financial reports buried information about lavish spending: two company planes, a company yacht and a huge estate leased for the boss.

Mr. Hoffenberg's attorney, Jeffrey Hoffman, says, "We intend to defend Mr. Hoffenberg against the charges, and it's our position that the government's charges are inaccurate."

#### **Accounting Problems**

The SEC first focused on Towers in 1988, when it sought (and eventually won) an injunction to bar Towers from selling unregistered securities. To defend the case, Towers retained Mr. Sorkin.

He soon received a document indicating serious accounting problems. In a May 1988 confidential opinion on Towers's practices. Spicer & Oppenheim, a New York accounting firm, said, among other things, that Towers reported fiscal 1987 debt-collection receipts of \$61 million when the

correct figure was only \$5.7 million. It also said that Towers reported its books had been audited in 1985, 1986 and 1987, when an audit had been done only in 1987.

Mr. Sorkin says he saw the Spicer memo in 1988, but it didn't convince him anything was seriously amiss because it offered an opinion on only a portion of Towers's business. When the SEC began investigating Towers a second time in 1990, it repeatedly asked Mr. Sorkin and Towers for information on the firm's accounting practices. But Mr. Sorkin never told the SEC about the Spicer report until this spring, according to SEC officials. Asked about this, Mr. Sorkin says he can't discuss the matter because of attorney-cilent confidentiality.

Milton Gould, another well-known New York lawyer, says that Mr. Sorkin was concerned enough about Towers's representations to ask him to join the case in 1991 to help decide "whether or not we were being conned." The two represented Towers during rancorous interviews with the SEC that began in 1991. In a bitter tug-of-war, the SEC sought and failed to get documentation supporting Towers's accounting. Mr. Sorkin says he made goodfaith efforts to get information from Towers that was requested by the SEC and the courts.

Richard Walker, head of the SEC's New York office, says Towers was less than helpful. "We received fraudulently generated information on critical subjects, and we were lied to and misled during critical testimony," he says, and this "obstructed our investigation."

our investigation..."

As the SEC moved toward filing civil fraud charges — and rejected a last-ditch legal effort by the Soristi team to forestall them — Mr. Gould asked that Deloitte & Touche be brought in to audit Towers's books. He says he quickly resigned the case after Deioitte took a preliminary look and expressed reservations. (Deloitte declines to comment.)

Mr. Sorkin stayed on. "We have resigned from cases over the years where we did not feel we were getting candid" answers from clients, he says. But in Towers's case, he adds, "we relied upon the representations of the client." He adds that both client confidentiality and an investor suit naming him as a co-conspirator in the alleged Towers fraud bar him from discussing specifics. He also won't discuss fees, though someone close to Towers says Mr. Sorkin's law firm was paid \$700,000 last year alone.

After Mr. Gould quit, Towers retained another prominent attorney. Bernard Nussbaum of Chicago's Sonnenchein, Nath & Rosenthal (not the former White House counsel of the same name). Mr. Nussbaum asked Prof. Davidson of the University of Chicago to look at Towers's accounting, and the professor wrote a long letter in support of it. Prof. Davidson now says he was misled by the Towers people and regrets writing the letter. He won't say how much he was pald. Mr. Nussbaum declines to comment.

Towers also needed political muscle to keep regulators at bay. As early as 1989, the firm had run into trouble with California regulators. It turned to the politically well-connected Los Angeles law firm of Manatt Pheips & Phillips and to one of its partners, Mr. Kantor.

State officials say they had complaints from about two dozen Towers clients about problems in receiving money Towers had collected for them. Towers was also operating without proper licenses, says Alonzo Hall, then chief of the state Bureau of Collections and Investigative Services. "We were finding damn good stuff" concerning misdeeds by Towers, says Mr. Hall — enough, he believes, to justify barring it from debt collection in California. However, the state reached a settlement with Towers in 1991 that put the firm on probation and let it continus coerating.

probation and let it continue operating.
It is unclear how much, if at all, Mr. Kantor's influence and prestige helped shape this outcome. He acknowledges talking with state officials about the case on behalf of Towers. While declining to get into specifics, he says all his actions were

perfectly proper.

In October 1992, as the presidential election approached. Towers gave a total of \$100,000 to four state Democratic parties and a Little Rock Democratic group. Mr. Kantor says that he wasn't involved in any such contributions.

such contributions.

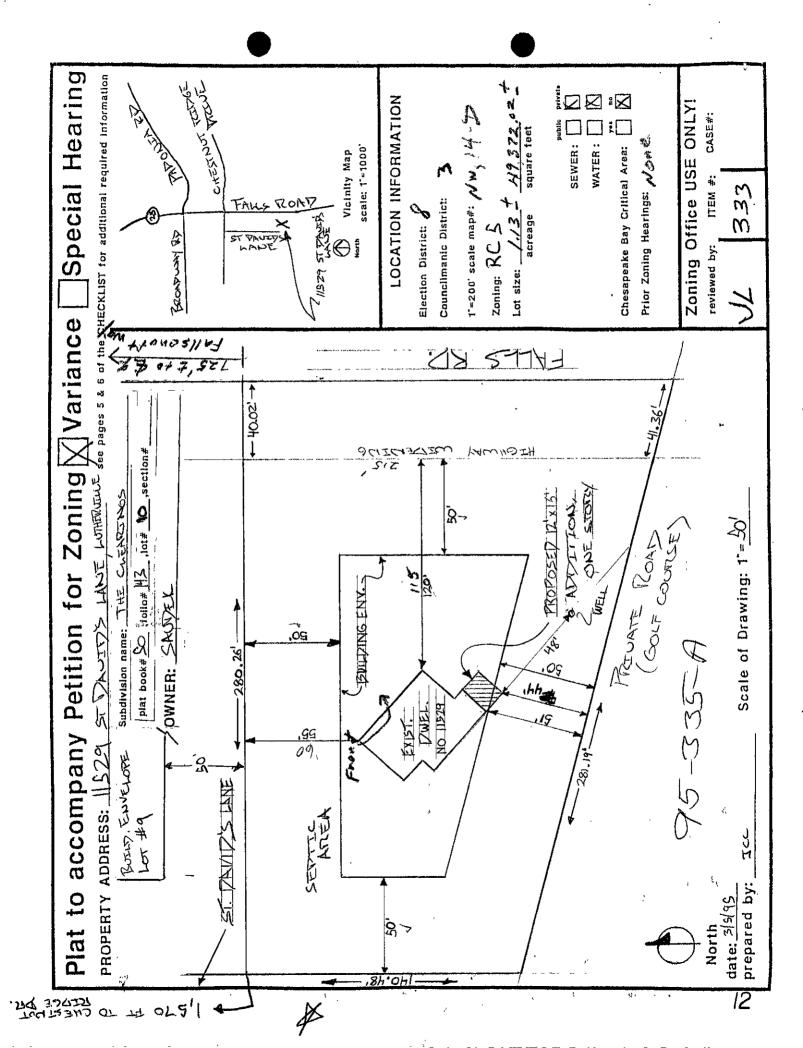
Many states have so-called "bad-boy" rules that require a firm with regulatory problems to undergo greater scrutiny in order to sell securities in the state. Though regulators say waivers from "bad boy" provisions are rare, Towers got them. In Texas, for instance, it received such waivers in 1989 and 1990.

Texas regulators received a hand-delivered waiver request from Ben Barnes, a former lieutenant governor and former speaker of the Texas House. Mr. Barnes was a consultant and board member of Towers, and on several occasions he lobbled state regulators on its behalf.

It is unclear how much his effort helped. Denise Crawford, Texas securities commissioner, says she chatted about Towers with Mr. Barnes but doesn't think his presence affected waiver decisions. Mr. Barnes says he "relied on professional accountants and some of the largest legal ficus in the U.S. that assured me everything was going to the letter of the law and that Towers was doing a good job."

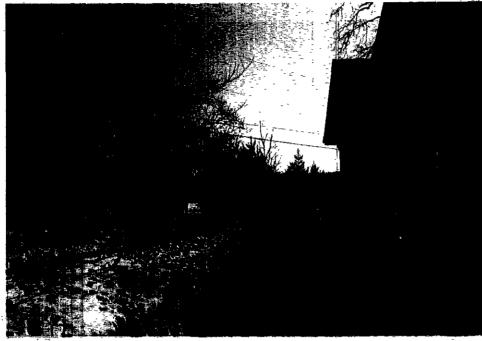
In New York, Towers gave \$18,500 to Rudolph Giuliani's run for mayor in 1989, when he lost, and \$15,000 for his successful 1993 campaign. Between the two elections, Towers retained Mr. Giuliani for legal work such as a 1991 Towers suit against Wang Laboratories Inc. (which was dismissed). Mr. Giuliani won't comment.

Thomas Evans Jr., a former Delaware congressman and former co-chairman of the Republican National Committee, sat on Towers's board. His firm, Evans Group, helped persuade Detroit's police and firefighters' retirement fund to invest \$30 million in Towers notes, say lawyers for





Back of house addition would be an extension of the 1 story gable end Room

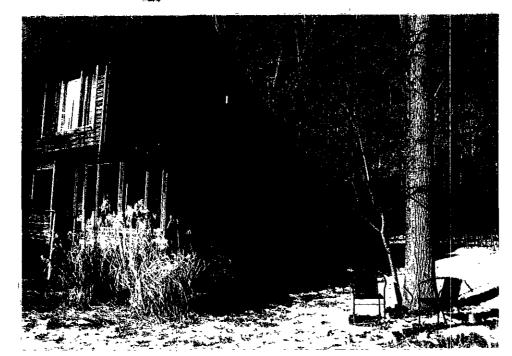


Front of house



Side ( house.

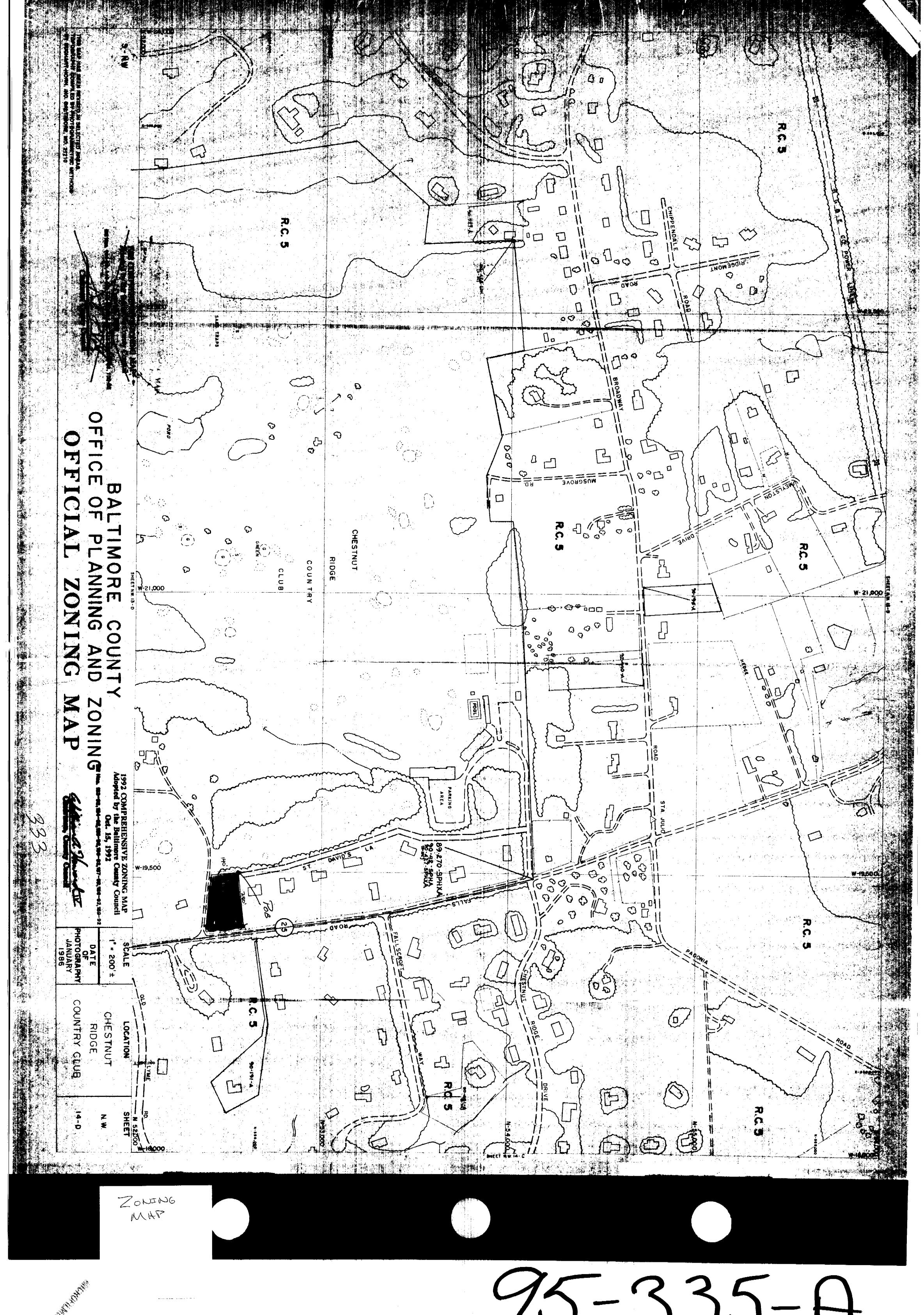
95-335-A



Side A house



Boeh of house.



BALTIMORE

OFFICE ZONING

COUNTRY

(11529 St. David's Lane)

8th Election District 3rd Councilmanic District Christopher Saudek, et ux

Petitioners

* OF BALTIMORE COUNTY * Case No. 95-335-A

* * * * * * * * * * FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 11529 St. David's Lane, located in the vicinity of the Chestnut Ridge Country Club in Lutherville. The Petition was filed by the owners of the property, Christopher and Susan Saudek. The Petitioners seek relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot line setback of 44 feet in lieu of the required 50 feet and a street centerline setback of 69 feet in lieu of the required 75 feet for a proposed 12' x 16' addition, and to amend the last approved Final Development Plan for The Clearings, Plat Two, Lot 10 thereof, accordingly. The subject property and relief sought are more particularly described on the site plan submitted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or gener-

al welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this  $\frac{1}{2}$  day of April, 1995 that the Petition for Administrative Variance seeking relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot line setback of 44 feet in lieu of the required 50 feet and a street centerline setback of 69 feet in lieu of the required 75 feet for a proposed 12'x16' addition, and to amend the last approved Final Development Plan for The Clearings, Plat Two, Lot 10 thereof, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

> 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

> > luithes latroco TIMOTHY M. KOTROCO Deputy Zoning Commissioner for Baltimore County

TMK:bjs

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto. That the Affiant(s) does/do presently reside at 11529 ST VAUTO'S LANE LUTHERUSLLE MP 21093

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty) Practical Difficulty-

Strict compliance with the setback requirement would prevent the owner from creating a reasonably sized dining room in the most logical and cost-effective manner. Strict compliance would require unnecessarily burdensome compromises of architectural and aesthetic norms.

Any lesser relaxation of the requirement than that requested would result in an addition too small to justify the base cost of construction. The variance requested would result in a setback of 45', rather that the 50' dictated by strict compliance, a reasonably small (10%) encroachment arguably consistent with the spirit of the ordinance.

No objections to the proposal are expected from neighbors.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and 1 HEREBY CERTIFY, this 15 th day of Julian, 1995, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Christopher D. & Susan Sandek the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief. AS WITNESS my hand and Notarial Seal

ZONING DESCRIPTION FOR 11529 ST. DAVID'S LANE, LUTHERVILLE, MD

95-335-A

Beginning at a point on the east side of St. David's Lane, at the distance south of the centerline of the nearest improved intersecting street, Falls CHESTLOT (EXTENDE WEST OF TALLS RP.) Being Lot #10 in the subdivision of The Clearings as recorded in the

Baltimore County Plat Book #50 Folio #143 containing 49,372 (+/-) SQ FT. Also known as 11529 St. David's Lane, Lutherville MD 21093 and located in the 8th election district, 3rd Councilmanic District.

Jcc

**Baltimore County Government** Zoning Commissioner Office of Planning and Zoning

Suite 112 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

April 27, 1995

Mr. & Mrs. Christopher Saudek 11529 St. David's Lane Lutherville, Maryland 21093

RE: PETITION FOR ADMINISTRATIVE VARIANCE E/S St. David's Lane, 1570' S of the c/l of Chestnut Ridge Drive (11529 St. David's Lane) 8th Election District - 3rd Councilmanic District Christopher Saudek, et ux - Petitioners

Case No. 95-335-A

granted in accordance with the attached Order.

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration Office at

> Very truly yours, TIMOTHY M. KOTROCO

cc: People's Counsel

TMK:bjs

Dear Mr. & Mrs. Saudek:

Deputy Zoning Commissioner for Baltimore County

JOHN CHRILTIE II 

Petitioner: 505an & Christopher Squ d at Location of property: 11579 St. Devid's Famo Els Location of Signer / Fac my rood aby on free ty being sond

| Baltimore  Zoning Administra  Development Mana  111 West Chasepeake Ave  Ton. 100, Maryland 21206 | 95-335-A         |                                   |               |  |
|---------------------------------------------------------------------------------------------------|------------------|-----------------------------------|---------------|--|
| 3/30/95                                                                                           |                  |                                   | 333<br>By VLL |  |
| AMEND FDP O                                                                                       | 050<br>130<br>80 | 50.00<br>50.00<br>35.00<br>135.00 |               |  |
| -OMEL SAUDECK<br>11529 ST DWOS LA                                                                 | -Paro i          |                                   |               |  |

Baltimore County Government Office of Zoning Administration and Development Management

111 West Chesapeake Avenue Lowson, MD 21204

(410) 887-3353

ORIGINAL OF

EONUNG-FILE

which is presently zoned RCS

legal owners) of the property which is the subject of this Petitor

CHEISTEPHEC SAUGEL

Name, Address and phone number of representative to be contacted.

2740 34TH PZ NW WASH DC (202)338-5491

Zoning Commissioner of Bartimore County

Signature Technology

Petition for Administrative Variance

for the property located at 11529 ST. DAUTY'S LANE, LUTHERUILE

to the Zoning Commissioner of Baltimore County

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) /AO4.3.B.3 TO PERMIT A LOT

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filling of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

LINE SETBACK OF 44 FT. AND A STREET CENTERLINE SETBACK OF 69 FT.

(FOR A PROPOSED ADDITION) IN LIEU OF THE REQUIRED 50 FT. AND 75 FT.
RESPECTIVELY AND TO AMEND THE LAST APPROVED FINAL DEVELOPMENT PLAN
FOR LOT 10 PLAT TWO OF THE CLEARINGS.

Strict compliance with the setback requirement would prevent the owner from creating a reasonably sized dining

room in the most logical and cost-effective manner. Any lesser relaxation of the requirement than that requested would mean the construction of an addition too small to justify the base cost of construction. The variance requested would result in a setback of 46°, rather that the 50° dictated by strict compliance, a reasonably small

This Petition shall be filed with the Office of Zoning Administration & Development Management.

(10%) encroachment arguably consistent with the spirit of the ordinance.

Property is to be posted and advertised as prescribed by Zoning Regulations.

practical difficulty)

Contract Purchaser Lessee

(Type or Print Name)

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

For newspaper advertising:

1) Posting fees will be accessed and paid to this office at the time of filing.

2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper. NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

|  | ARNOLD | JABLON, | DIRECTO | )R |  |
|--|--------|---------|---------|----|--|
|  |        |         |         |    |  |
|  |        |         |         |    |  |
|  | •      |         |         |    |  |

| Item No.: | <u> 33</u>     | 33              |             |            |       |             |     |      |
|-----------|----------------|-----------------|-------------|------------|-------|-------------|-----|------|
| Petitione | r: <u>آ</u> و، | <u>-:&gt; C</u> | 465ISI.     | . ī        | ·     |             |     |      |
| Location: | 1152           | 9 57            | JALED'S     | LANE       | LUTHE | non         | MDZ | 1093 |
| PLEASE FO | RWARD AD       | vertis:         | ING BILL TO | <b>)</b> : |       |             | ·   | •    |
| NAME:     | ,H77.15        | ANY             | SUSAN       | SAUTE      | K     |             |     |      |
|           |                |                 |             |            |       | <del></del> |     |      |

ADDRESS: 11529 ST DAUTOS LANE LEGHERUZUE, MD 121093 PHONE NUMBER: (410 ) \$61-3616

(Revised 04/09/93)

111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

April 6, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

CASE NUMBER: 95-335-A (Item 333) 11529 St. David's Lane E/S St. David's Lane, 1570' of Chestnut Ridge Drive (extended W of Falls Road) 8th Election District - 3rd Councilmanic Legal Owner: Susan Saudek and Christopher Saudek

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before April 9, 1995. The closing date (April 24, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).

closing date. Failure to return the sign and post will result in a \$60.00 charge. PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

The Office of Planning and Zoning has no comments on the following petition(s):

If there should be any further questions or if this office can provide additional

information, please contact Jeffrey Long in the Office of Planning at 887-3480.

DATE: April 12, 1995

WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

3) Please be advised that you must return the sign and post to this office. They may be returned after the

cc: Susan and Christopher Saudek

Arnold Jablon, Director Zoning Administration and Development Management

Office of Planning and Zoning

Item Nos. 331, 332, 333, 334, 335, and 336.

SUBJECT: Petitions from Zoning Advisory Committee

FROM: Pat Keller, Director

ITEM331/PZONE/ZAC1

Printed with Soybean Ink

Baltimore County Governmen Office of Zoning Administration and Development Management



April 12, 1995

111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

Mr. and Mrs. Christopher Saudek 11529 St. David's Lane Lutherville, Maryland 21093

> RE: Item No.: 333 Case No.: 95-335-A Petitioner: C. Saudek, et ux

Dear Mr. and Mrs. Saudek:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on March 30, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Zoning Supervisor

WCR/jw
Attachment(s)

Printed with Soybean Ink on Recycled Paper

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: April 17, 1995 Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief Developers Engineering Section

Zoning Advisory Committee Meeting for April 17, 1995 Items 329, 331, 332, 333 334, 336, 337, 338 339 and 316 revised

The Developers Engineering Section has reviewed the subject zoning item and we have no comments.

O. James Lighthizer Hal Kassoff Administrator

4-7-95

Re: Baltimore County
Item No.: 333 (JLL)

Ms. Joyce Watson Zoning Administration and Development Management County Office Building Room 109 111 W. Chesapeake Avenue Towson, Maryland 21204

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

My telephone number is ______

Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Toll Free Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717 Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

ZAC Comments

Development Coordination Zoning Advisory Committee Agenda: 4//0/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

LETTY2/DEPRM/TXTSBP

Maryland Department of Transportation State Highway Administration

Baltimore County Government

700 East Joppa Road Suite 901

Towson, MD 21286-5500

Fire Department

(410) 887-4500

DATE: 04/11/93

Armoid Jablen Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204 MAIL STOP-1105

RE: Property Owner: SEE BELOW

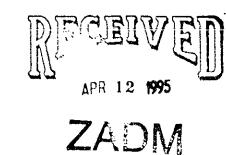
LCCATION: DISTRIBUTION MEETING OF AFR. 10, 1995.

Item No.: SEE BELOW Zoning Agenda:

Gentloment

Pursuant to your request, the referenced property has been surveyed by this Eureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING LIKE NUMBERS: 331, 332 (333, 331, 335, 336.



REVIEWER: LT. ROBERT P. SAUERWALD Fire Marshal Office, PHONE 687 4691, MG-1108F

ca: File

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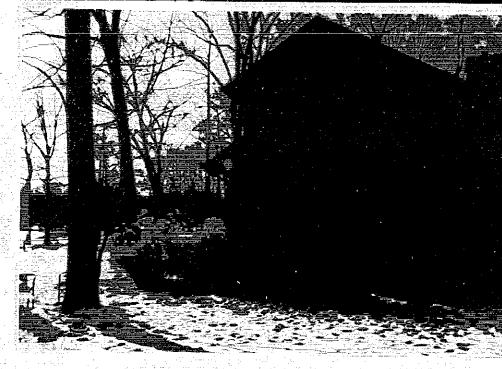
95-335-A



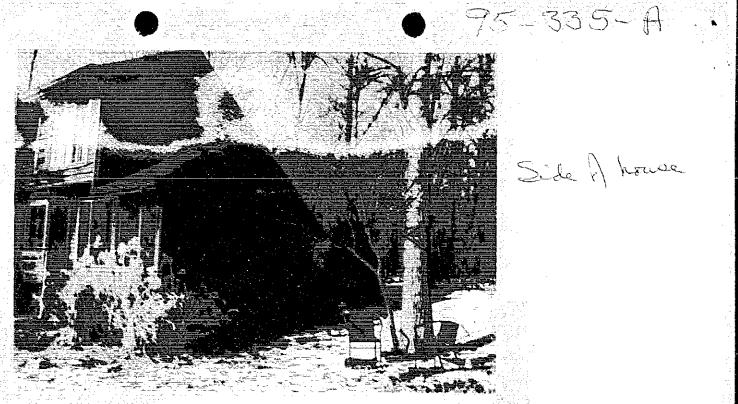
Back of house addition would te an extension of the 1 story gatte end Room



Front of house



Side ( horase -



Side of house



Boch & house.